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| <b>UTILITY PATENT APPLICATION TRANSMITTAL</b><br>(New Nonprovisional Applications Under 37 CFR § 1.53(b)) | Attorney Docket No.<br>50277-1561 |
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**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, David Long, entitled NESTED TRANSACTIONS IN A FILE SYSTEM, for a(n):

- (X) Original Patent Application.
- (X) Continuing Application (prior application not abandoned):  
 ( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
 of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_
- (X) this application claims priority from U.S. Provisional application Serial No. 60/204,196 filed May 12, 2000.  
 A statement claiming priority under 35 USC § 120 has been added to the specification.

**Enclosed are:**

- (X) Specification 41 Total Pages; (X) Drawing(s) 4 Total Sheets; (X) Cover Sheet 1 Page
- ( ) Oath or Declaration:    Pages
- ( ) A Newly Executed Combined Declaration and Power of Attorney:  
 ( ) Signed. ( ) Unsigned. ( ) Partially Signed.
- ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
 ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
- ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
- ( ) Power of Attorney. (X) Return Receipt Postcard.
- ( ) Associate Power of Attorney. ( ) A Check in the amount of \$ \_\_\_\_\_ for the Filing Fee.
- ( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
- (X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
- ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
- ( ) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.
- ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
- ( ) Recordation of Assignment Cover Sheet and **executed** Assignment.
- ( ) Other: \_\_\_\_\_

Charge \$ \_\_\_\_\_ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Brian D. Hickman  
 Brian D. Hickman, Reg. No. 35,894

Date: May 11, 2001

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| I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to: |  |
| Commissioner for Patents<br>Box Patent Application<br>Washington, D.C. 20231  |  |
| By: <u>Tirena Say</u>   |  |
| Typed Name: Tirena Say  |  |
| Express Mail Label No.: EL734779037US   |  |
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| <b>REQUEST AND CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | David Long, et al.                   |
|  | Title                | NESTED TRANSACTIONS IN A FILE SYSTEM |
|  | Atty. Docket Number  | 50277-1561                           |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 11, 2001

Date



Signature

Brian D. Hickman, Reg. No. 35,894

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**